

**United States District Court****for the****Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**Nov 08, 2022**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Isiah James Harrington Case Number: 0980 2:22CR00145-TOR-1

Address of Offender: [REDACTED], Spokane Valley, Washington 99212

Name of Sentencing Judicial Officer: The Honorable David C. Nye, Chief U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: January 15, 2020

Original Offense: Attempted Robbery, 18 U.S.C. §§ 2111, 1152 &amp; 2

Original Sentence: Prison - 41 months Type of Supervision: Supervised Release  
TSR - 36 monthsAmended Sentence: Prison - Time Served  
(April 12, 2022) TSR - 36 months

Asst. U.S. Attorney: Patrick J. Cashman Date Supervision Commenced: April 18, 2022

Defense Attorney: Federal Defender's Office Date Supervision Expires: April 17, 2025

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**PETITIONING THE COURT**

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To issue a summons.

On April 21, 2022, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Harrington, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number      Nature of Noncompliance

1

**Mandatory Condition #3:** You shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On or about August 1, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On August 4, 2022, the offender reported to the U.S. Probation Office as instructed by this officer. On that date, Mr. Harrington was subject to random urinalysis testing and provided a urine sample that tested presumptive positive for marijuana. He subsequently admitted to

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the use of marijuana on or about August 1, 2022, and signed an admission of use form confirming that use.

- 2        **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On or about August 12, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On August 12, 2022, the offender reported to the U.S. Probation Office for random urinalysis testing as instructing. On that date, Mr. Harrington provided a urine sample that tested presumptive positive for marijuana. Although, the offender insisted he was testing positive as a result of previously admitted marijuana use, on or about August 1, 2022. Because the previous urine samples had not been sent to the laboratory for further testing, a laboratory interpretation could not be requested.

- 3        **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On or about August 16, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On August 16, 2022, the offender was subject to phase urinalysis testing at Pioneer Human Services (PHS), when his assigned color was identified for testing. On that date, Mr. Harrington provided a urine sample that tested presumptive positive for marijuana. Once again, the offender insisted he was testing positive as a result of previously admitted marijuana use, on or about August 1, 2022. The sample was subsequently sent to the laboratory for confirmation.

In a laboratory interpretation report dated October 27, 2022, the laboratory director opined that the offender had reused marijuana after the urinalysis testing on August 12, 2022, and prior to providing the urine sample collected on August 16, 2022.

- 4        **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On or about August 23, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On August 23, 2022, the offender was subject to phase urinalysis testing at Pioneer Human Services (PHS), when his assigned color was identified for testing. On that date, Mr. Harrington provided a urine sample that tested presumptive positive for marijuana. The

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offender admitted to the use of marijuana on or about August 4, 2022, and he signed an admission of use form confirming that admission. Because of the ongoing marijuana use, the sample was also sent to the laboratory for confirmation. In a laboratory interpretation report dated October 27, 2022, the laboratory director opined that the offender had reused marijuana after the urinalysis testing on August 16, 2022, and prior to providing the urine sample collected on August 23, 2022.

- 5        **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On or about August 27, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On August 30, 2022, the offender reported to the U.S. Probation Office to meet with the assigned probation officer as scheduled. On that date, Mr. Harrington was subject to random urinalysis testing and provided a urine sample that tested presumptive positive for marijuana. The offender admitted to the use of marijuana on or about August 27, 2022, and signed an admission of use form confirming that admission.

- 7        **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On or about September 8, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On September 8, 2022, the offender was subject to phase urinalysis testing at Pioneer Human Services (PHS), when his assigned color was identified for testing. On that date, Mr. Harrington provided a urine sample that tested presumptive positive for marijuana. The offender admitted to the use of marijuana on or about August 24, 2022, and he signed an admission of use form confirming that admission. Because the offender's admissions of use were no longer sequential, it was determined that all of Mr. Harrington's presumptive positive urine samples would be sent to the laboratory.

In a laboratory interpretation report dated October 27, 2022, the laboratory director opined that the offender had reused marijuana after the urinalysis testing on August 23, 2022, and prior to providing the urine sample collected on September 8, 2022.

- 8        **Special Condition #3:** The defendant shall participate in a program of testing and treatment for drug and alcohol abuse, as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On September 13, 2022, Isiah Harrington allegedly violated special condition number 3 by failing to provide a urine sample during phase urinalysis testing, which was considered a "stall."

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On September 14, 2022, this officer received notification from PHS that the offender reported for phase urinalysis testing on September 13, 2022, but failed to provide an adequate urine sample.

The undersigned contacted Mr. Harrington on September 14, 2022, to discuss the issue. The offender stated he provided a urine sample that he felt was sufficient, and when the technician overseeing the urinalysis testing informed the offender that he would need to provide more of a sample within a certain time period, Mr. Harrington acknowledged that he “got upset and left.”

The offender was subsequently instructed to report to the U.S. Probation Office on that date, September 14, 2022, to submit to random urinalysis testing.

- 9      **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant’s ability to pay.

**Supporting Evidence:** On or about September 14, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On September 14, 2022, the offender reported to the U.S. Probation Office for random urinalysis testing as instructed. On that date, Mr. Harrington provided a urine sample that tested presumptive positive for marijuana.

In a laboratory interpretation report dated October 27, 2022, the laboratory director opined that the offender had reused marijuana after the urinalysis testing on September 8, 2022, and prior to providing the urine sample collected on September 14, 2022.

- 10      **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant’s ability to pay.

**Supporting Evidence:** On or about September 29, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On September 29, 2022, the offender was subject to phase urinalysis testing at PHS, when his assigned color was identified for testing. On that date, Mr. Harrington provided a urine sample that tested presumptive positive for marijuana. The offender admitted to the use of marijuana on or about September 8, 2022, and he signed an admission of use form confirming that admission; it was although sent to the laboratory for further testing.

In a laboratory interpretation report dated October 27, 2022, the laboratory director opined that the offender had reused marijuana after the urinalysis testing on September 14, 2022, and prior to providing the urine sample collected on September 29, 2022. This officer would note that the laboratory interpretation conflicts with the admission of use form signed by Mr. Harrington.

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- 11      **Mandatory Condition #3:** You shall refrain from any unlawful use of some controlled substances. The defendant shall submit to one drug test within 15 days of release on supervision and to a maximum of 5 periodic drug tests a month thereafter for the term of supervision as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On or about September 29, 2022, Isiah Harrington allegedly violated mandatory condition number 3 by consuming marijuana.

On September 29, 2022, the offender was subject to phase urinalysis testing at PHS, when his assigned color was identified for testing. On that date, Mr. Harrington provided a urine sample that tested presumptive positive for marijuana. The offender admitted to the use of marijuana on or about September 8, 2022, and he signed an admission of use form confirming that use; it was although sent to the laboratory for further testing.

In a laboratory interpretation report dated October 27, 2022, the laboratory director opined that the offender had reused marijuana after the urinalysis testing on September 14, 2022, and prior to providing the urine sample collected on September 29, 2022. Once again, the laboratory interpretation conflicts with the admission of use form signed by Mr. Harrington.

- 12      **Special Condition #3:** The defendant shall participate in a program of testing and treatment for drug and alcohol abuse, as directed by the probation officer. The cost to be paid by both the defendant and the government based upon the defendant's ability to pay.

**Supporting Evidence:** On October 28, 2022, Isiah Harrington allegedly violated special condition number 3 by failing to engage in his substance abuse treatment program with PHS as required.

On October 28, 2022, this officer received notification from PHS that the offender failed to report for his individual treatment session as scheduled. According to his treatment provider, this was the third session Mr. Harrington had missed.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/08/2022

s/Amber M.K. Andrade

Amber M.K. Andrade

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



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Thomas O. Rice  
United States District Judge

November 8, 2022

Date